REMARKS

Claims 1-18, 21 and 23 are all the claims pending in the application. All claims stand rejected as either anticipated by or obvious over prior art. All rejections are respectfully traversed.

Fapojuow is the primary reference relied on in all rejections, but there are a number of clear differences between Fapojuwo and the presently claimed invention which preclude anticipation, and which are not taught by the secondary references.

The method in Fapojuwo includes the steps of, in response to a call request:

receiving a representation of available call capacity from each of the base station transceiver subsystems

determining which of the base station transceiver subsystems has the greatest available capacity

enabling the base station transceiver subsystems having the greatest available capacity to handle the call.

Thus, in Fapojuwo, the method takes place in response to a call request, and the aim is to determine which of the BTSs has the greatest available capacity.

A feature of the present invention is that base station controller can make decisions taking into account the processing resources of the base stations it controls, without having to consult these base stations each time there is a call request, because the base stations have previously informed the base station controller of a "model" for managing these processing resources (this model in the present case using the processing capacity limits stated in the claims). The information regarding the management model is not sent to the base station controller when there

is a call request but instead when there is a need to send the information, e.g., when there is a change in the processing limits.

In accordance with the present invention, the information contained within the model includes a plurality of limits relating to the processing capacity of the base station, with the limits corresponding to parameters representative of the traffic load of the network. In Fapojuwo, the information provided to the base station controller from each base station indicates the available capacity. This is not the limit but rather how much is left before the limit is reached. Further, the available capacity is not necessarily expressed as a function of parameters representative of the traffic load. Thus, the transmission back to the base station of available capacity does not necessarily mean that the available processing capacity is expressed in terms of one or more limits which correspond to parameters representative of the traffic load of the network as is required of claim 1.

Regarding claims 2-3, 5-8 and 14, the examiner recognizes the shortcomings of Fapojuwo in teaching the subject matter of these claims, and additionally relies on Andersson. Andersson does not teach the transmission to the base station controller of information relating to the maximum number of radio links as recited in claim 2. The examiner cites to lines 9-11 of column 2, but that excerpt discusses only the determination of the capacity of a base station to handle another call is calculated based on the average power of a channel. There is nothing there about a maximum number of radio links as recited in claim 3. Neither Fapojuwo nor Andersson teach the transmission back to the base station of a maximum data rate for established radio links. Nor are there transmissions of information on the maximum data rates in upstream or downstream directions.

The secondary references do not supply the teaching missing from Fapojuwo.

In sum, the present invention sends information to the base station controller which relates to the capacity limits of the base station, with the information corresponding to a parameter representative of network traffic load. Fapojuwo instead sends back information on how much capacity is left. This is neither a limit value nor is it related to a parameter used to represent network traffic load.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

An extension of time is requested, and the statutory fee is being paid through the Electronic Filing System

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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